

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) CR. NO. 1:05cr152-T
)
JOHNNIE GRIMES d/b/a)
GRIMES GROCERY)

MOTION FOR FORFEITURE HEARING

The United States of America (United States), by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and John T. Harmon, Assistant United States Attorney, hereby moves this Honorable Court to schedule a forfeiture hearing at the time of defendant's sentencing and submits the following:

1. On October 4, 2005, a plea agreement was filed in the above styled case.

2. The plea agreement, however, did not address the forfeiture of the real property (located at 5138 County Road 636, Enterprise, Coffee County, Alabama) named in the indictment and information, being more particularly described as follows:

One lot of land containing one acre, and being better described as follows: Begin where the West line of the NE1/4 of the NW1/4, Section 9, Township 3, Range 21 intersects the South boundary of Coffee County Highway 14; thence East 800 feet along the South line of County Road 14 and to Point of Beginning; thence 210 feet South; thence 210 feet East; thence 210 feet North to the South boundary of Highway 14; thence 210 feet West along the South boundary of said lot to the Point of Beginning. Said property being a part of the NE1/4 of the NW1/4, Section 9, Township 3, Range 21, Coffee County, Alabama, and being a part of that conveyance to Grantors by

conveyance dated May 29, 1920 and recorded in Deed Book 12, Page 234, Office of the Judge of Probate, Enterprise, Coffee County, Alabama.

3. The United States intends to seek forfeiture of the above-described real property and is prepared to present evidence at the hearing to support the forfeiture.

4. Based on the above, the United States moves this Court to conduct a forfeiture hearing prior to sentencing the defendant and, if warranted by the evidence presented, enter a Preliminary Order of Forfeiture at that time.

Respectfully submitted this the 12th day of October, 2005.

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

/s/John T. Harmon
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CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2005, I electronically filed the foregoing Motion for Forfeiture Hearing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **David J. Harrison, Sydney Albert Smith and Tommie Brown Hardwick.**

/s/John T. Harmon
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